

THURSDAY, MARCH 31, 2016

FIFTY-FOURTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Herbert Alsup, Woodbury Church of Christ, Woodbury, TN.

Representative Pody led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 89

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 89

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Lundberg; military service

PRESENT IN CHAMBER

Rep. McManus was announced as being present in the Chamber.

Reps. Armstrong, Hardaway, Lynn, Mitchell, Parkinson and Turner were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

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House Resolution No. 238 Rep. Gilmore as prime sponsor.

House Joint Resolution No. 755 Rep. Hawk as prime sponsor.

House Joint Resolution No. 757 Reps. Hawk, Hicks, J. Sexton, Faison and Farmer as prime sponsors.

House Bill No. 1641 Reps. Terry, Dunlap, Reedy, Lynn, Travis, Sanderson, C. Sexton, Byrd, K. Brooks, Williams, Calfee, Powers, Weaver, Keisling, Littleton, Windle, Kane, McCormick, Sargent, McManus, Towns, Hardaway, Johnson, Moody, Kumar, Sparks, M. White, Powell, Durham, Lollar, Goins, Zachary, Hazlewood, Alexander, Parkinson, Love, Mitchell, Stewart and Jernigan as prime sponsors.

House Bill No. 1701 Reps. Ragan and Hardaway as prime sponsors.

House Bill No. 1940 Reps. Moody, Littleton, Powers, Holt, Butt and Durham as prime sponsors.

House Bill No. 2174 Reps. Powell, McManus, Fitzhugh, Hardaway, Stewart and Kumar as prime sponsors.

House Bill No. 2176 Reps. Rogers, Zachary, Hardaway, Holt, Durham, Terry and Daniel as prime sponsors.

House Bill No. 2323 Rep. C. Sexton as prime sponsor.

**MESSAGE FROM THE SENATE
March 31, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2563; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2563 -- Workers Compensation - As introduced, revises various provisions governing payments for permanent partial disabilities; renames the workers' compensation appeals board; revises other provisions of the workers' compensation law. - Amends TCA Title 50, Chapter 6. by *Norris, *Johnson. (*HB1559 by *McCormick, *Brooks K, *Eldridge, *Pody, *Lynn, *White M, *Hardaway, *Mitchell, *Ramsey, *Casada)

**MESSAGE FROM THE SENATE
March 31, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1888; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 31, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 677, 679, 680, 681, 682, 683, 685, 686, 687 and 688; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 677 -- Memorials, Interns - Erika Danielle Ivey. by *Overbey.

Senate Joint Resolution No. 679 -- Memorials, Interns - Larry Edwards, Jr. by *Tracy.

Senate Joint Resolution No. 680 -- Memorials, Interns - Denarius Lamonte Stinson. by *Tracy.

Senate Joint Resolution No. 681 -- Memorials, Recognition - John Greeter. by *Bowling, *Tracy.

Senate Joint Resolution No. 682 -- Memorials, Academic Achievement - Brittany Nicole Caver, Salutatorian, Northwest High School. by *Green.

Senate Joint Resolution No. 683 -- Memorials, Academic Achievement - Kyle William Brooks, Valedictorian, Northeast High School. by *Green.

Senate Joint Resolution No. 685 -- Memorials, Academic Achievement - Katelyn Elizabeth Mitchell, Salutatorian, Northeast High School. by *Green.

Senate Joint Resolution No. 686 -- Memorials, Professional Achievement - First Sergeant Nilton H. Galloway, Commander's Award for Public Service. by *Green.

Senate Joint Resolution No. 687 -- Memorials, Professional Achievement - Major Van G. Chase, Commander's Award for Public Service. by *Green.

Senate Joint Resolution No. 688 -- Memorials, Interns - Patrick J. Crawford. by *Southerland.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Byrd was recognized in the Well to introduce Logan Blade to sing "Long Black Train" in honor of Autism Awareness Month.

RECOGNITION IN THE WELL

Representative D. White was recognized in the Well, joined by the members who served in Vietnam, to honor Welcome Home Vietnam Veterans Day.

RESOLUTION READ

The Clerk read House Resolution No. 231, adopted March 28, 2016.

House Resolution No. 231 -- Memorials, Recognition - Welcome Home Vietnam Veterans Day, March 29, 2016. by *White D, *Terry, *Lollar, *Womick, *Shepard, *Beck, *Sparks, *Brooks K.

RECOGNITION IN THE WELL

Representative C. Sexton was recognized in the Well to honor May 2016 as Cystic Fibrosis Awareness Month.

RESOLUTION READ

The Clerk read House Joint Resolution No. 551, adopted February 8, 2016.

***House Joint Resolution No. 551** -- Memorials, Recognition - May 2016 Cystic Fibrosis Awareness Month. by *Sexton C, *Clemmons, *McCormick.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 4, 2016:

House Resolution No. 240 -- Memorials, Recognition - "Carl Perkins's 'Blue Suede Shoes Day'". by *Gilmore.

House Joint Resolution No. 768 -- Memorials, Interns - Lyndsey Onks. by *Johnson.

House Joint Resolution No. 769 -- Memorials, Death - Rev. Vernon Lee Hooks. by *Pitts.

House Joint Resolution No. 770 -- Memorials, Sports - Jon Robinson, General Manager of Tennessee Titans. by *Sanderson.

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House Joint Resolution No. 771 -- Memorials, Professional Achievement - Kari Garrison, 2015-2016 Sevier County Secondary Grades Teacher of the Year. by *Carr .

House Joint Resolution No. 772 -- Memorials, Professional Achievement - Michelle Oliver, 2015-2016 Sevier County Primary Grades Teacher of the Year. by *Carr .

House Joint Resolution No. 773 -- Memorials, Professional Achievement - Sara Rawlinson, 2015-2016 Sevier County Middle Grades Teacher of the Year. by *Carr .

House Joint Resolution No. 774 -- Memorials, Recognition - Citizen Tribune, 50th anniversary. by *Goins.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 4, 2016:

Senate Joint Resolution No. 677 -- Memorials, Interns - Erika Danielle Ivey. by *Overbey.

Senate Joint Resolution No. 679 -- Memorials, Interns - Larry Edwards, Jr. by *Tracy.

Senate Joint Resolution No. 680 -- Memorials, Interns - Denarius Lamonte Stinson. by *Tracy.

Senate Joint Resolution No. 681 -- Memorials, Recognition - John Greeter. by *Bowling, *Tracy.

Senate Joint Resolution No. 682 -- Memorials, Academic Achievement - Brittany Nicole Caver, Salutatorian, Northwest High School. by *Green.

Senate Joint Resolution No. 683 -- Memorials, Academic Achievement - Kyle William Brooks, Valedictorian, Northeast High School. by *Green.

Senate Joint Resolution No. 685 -- Memorials, Academic Achievement - Katelyn Elizabeth Mitchell, Salutatorian, Northeast High School. by *Green.

Senate Joint Resolution No. 686 -- Memorials, Professional Achievement - First Sergeant Nelton H. Galloway, Commander's Award for Public Service. by *Green.

Senate Joint Resolution No. 687 -- Memorials, Professional Achievement - Major Van G. Chase, Commander's Award for Public Service. by *Green.

Senate Joint Resolution No. 688 -- Memorials, Interns - Patrick J. Crawford. by *Southerland.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

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House Bill No. 2660 -- Shelbyville - As introduced, subject to local approval, rewrites city charter. - Amends Chapter 754 of the Private Acts of 1947; as amended. by *Marsh.

House Bill No. 2661 -- Adamsville - As introduced, subject to local approval, authorizes the city commission to designate a city administrator as head of the operating functions of the city, including that of chief financial officer; requires the city administrator to appoint all department heads and the city recorder. - Amends Chapter 32 of the Private Acts of 2009. by *Jenkins.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 1832 -- Environmental Preservation - As introduced, creates the forum on Tennessee's great outdoors for the purpose of conducting a comprehensive review of the health and status of this state's natural resources and outdoor recreation needs and opportunities. - Amends TCA Title 68. by *Bell, *Southerland, *Ketron, *Tracy, *Bowling, *Jackson, *Gresham, *Yager, *Gardenhire, *Yarbro, *Hensley, *Overbey, *Stevens. (*HB1871 by *McDaniel, *Reedy, *Eldridge, *Todd, *Lollar, *Swann, *Hawk, *Sargent, *Sanderson, *Marsh, *Matheny, *McCormick, *Casada, *Lundberg, *McManus, *Shaw, *Halford, *Fitzhugh, *Travis, *Towns, *Hulsey, *Carr, *Byrd, *Calfee, *Howell, *Durham)

***Senate Bill No. 1864** -- Education - As introduced, authorizes the commissioner of education to promulgate rules to allow a 501(c)(3) nonprofit corporation to enter a school to teach kindergarten through third-grade students various subjects. - Amends TCA Title 49. by *Tate. (HB2489 by *Akbari)

Senate Bill No. 1965 -- Employees, Employers - As introduced, makes various changes to the Tennessee Lawful Employment Act, including requiring any public or private employer with six or more employees to enroll in the E-Verify program unless the employer submits an affidavit to the commissioner of labor and workforce development that the employer would suffer an undue hardship. - Amends TCA Title 36, Chapter 5, Part 11 and Title 50, Chapter 1, Part 7. by *Tracy, *Roberts, *Stevens. (*HB1830 by *Marsh, *Terry, *Durham)

Senate Bill No. 2107 -- Insurance Companies, Agents, Brokers, Policies - As introduced, changes the definition of "pet" in regard to pet insurance from any domesticated animal normally maintained in or near the household of its owner to any animal normally maintained in or near the household of its owner. - Amends TCA Title 8; Title 56; Title 63; Title 68 and Title 71. by *Stevens. (*HB1922 by *Faison, *Sargent, *Travis)

***Senate Bill No. 2165** -- Education - As introduced, changes the date by which the department of education must submit its annual report on virtual schools, from July 1 to September 1. - Amends TCA Title 49. by *Tate. (HB2490 by *Akbari)

Senate Bill No. 2172 -- Education, Dept. of - As introduced, allows the department to use available public funds, in addition to private funds, to make community school grants. -

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Amends TCA Title 49, Chapter 6, Part 24. by *Tate, *Briggs. (*HB2236 by *Cooper, *Towns, *Akbari, *Camper, *Hardaway)

Senate Bill No. 2236 -- Lottery, Corporation - As introduced, requires posting and archiving of annual reports on TELC's web page. - Amends TCA Title 4, Chapter 51, Part 1. by *Hensley. (*HB2171 by *Doss)

Senate Bill No. 2371 -- Children - As introduced, authorizes a parent of a newborn to object and opt out of a treatment to the newborn's eyes to prevent certain conditions; removes Class C misdemeanor penalty for a physician, nurse, or midwife failing to administer the treatment. - Amends TCA Section 68-5-202. by *Watson. (*HB2412 by *Lynn)

Senate Bill No. 2419 -- Courts, Juvenile - As introduced, establishes confidentiality and accessibility of assessment reports compiled by the juvenile court in Davidson County. - Amends TCA Title 37. by *Yarbro. (*HB2298 by *Beck)

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 31, 2016**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 4, 2016**: Senate Bill No. 1697, House Bills Nos. 1835, 2422, 2401, Senate Bill No. 1811, House Bills Nos. 2236, 1994, 2153, 1194, 1856, 2125, 2006, 2323, House Joint Resolutions Nos. 691, 692, 712, 713, 714, and 492.

The committee also set the following bills on the **Regular Calendar** for **April 6, 2016**: House Bills Nos. 1840, 1801, 1550, 2195, 1779, 929, 2256, 2171, 261, 2633, 2490, 2212, 2119, 1997, 1799, 1667, 2391, 857, 2022, 2298, and 2300.

The committee also set the following bills on the **Regular Calendar** for **April 7, 2016**: House Bills Nos. 2373, 1939, 2473, 2645, 1720, 1711, 1406, 2409, 2116, 1982, 1981, 1972, 2576, 2569, 1775, 1776, 1830, 2088, 2032, 1892, and 2269.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **April 4, 2016**: House Bills Nos. 2650, 2427, Senate Joint Resolution No. 463, House Joint Resolution No. 543, House Bills Nos. 2652, 2643, 1541, 2644, 2651, 2646, 2621, Senate Joint Resolution No. 466, House Bill No. 1407, House Resolution No. 188, 189, Senate Joint Resolution No. 394, House Bills Nos. 2653, and 2649.

CONSENT CALENDAR

House Resolution No. 235 -- Memorials, Interns - Stephen Ellison Duke. by *Terry, *Alexander, *Gravitt.

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House Resolution No. 236 -- Memorials, Personal Occasion - David Lee Potts, 80th birthday. by *Lamberth.

House Resolution No. 237 -- Memorials, Interns - Eric Micheal Roberts. by *McManus, *Lundberg, *Hazlewood.

House Resolution No. 238 -- Memorials, Recognition - Green Hills Civitan Club, 60th anniversary. by *Harwell.

House Resolution No. 239 -- Memorials, Interns - Kelsey Rianne Beal. by *Lundberg.

House Joint Resolution No. 755 -- Memorials, Retirement - Fred Congdon. by *Holsclaw.

House Joint Resolution No. 756 -- Memorials, Personal Achievement - John Jeremiah Barnes, Eagle Scout. by *Carr , *Farmer.

House Joint Resolution No. 757 -- Memorials, Recognition - TCAT-Morristown, 50th anniversary. by *Goins.

House Joint Resolution No. 760 -- Memorials, Sports - Lawrence County All-Stars, Babe Ruth World Series Runner Up. by *Doss.

House Joint Resolution No. 761 -- Memorials, Academic Achievement - Ambraysha Jackson, Salutatorian, Raleigh-Egypt High School. by *Parkinson.

House Joint Resolution No. 762 -- Memorials, Academic Achievement - Brandi Thomas, Valedictorian, Raleigh-Egypt High School. by *Parkinson.

House Joint Resolution No. 763 -- Memorials, Academic Achievement - Sovanbopata Yos, Historian, Raleigh-Egypt High School. by *Parkinson.

House Joint Resolution No. 765 -- Memorials, Academic Achievement - Austyn Walls, Valedictorian, Watertown High School. by *Pody.

House Joint Resolution No. 766 -- Memorials, Academic Achievement - Deanna Upchurch, Salutatorian, Watertown High School. by *Pody.

House Joint Resolution No. 767 -- Memorials, Retirement - Keith Taylor. by *Pody.

Senate Joint Resolution No. 642 -- Memorials, Academic Achievement - Emily Nell Griffin, Salutatorian, William Blount High School. by *Overbey.

Senate Joint Resolution No. 643 -- Memorials, Academic Achievement - Samuel David Taylor, Valedictorian, William Blount High School. by *Overbey.

Senate Joint Resolution No. 644 -- Memorials, Sports - Samson Evans, 2016 TSSAA Division I A-AA 285-pound Wrestling Champion. by *Overbey, *Watson.

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Senate Joint Resolution No. 645 -- Memorials, Sports - Ryan Verhulst, 2016 TSSAA Division I A-AA 132-pound Wrestling Champion. by *Overbey, *Watson.

Senate Joint Resolution No. 646 -- Memorials, Personal Achievement - Taylor Drake, Youth Community Award. by *Overbey.

Senate Joint Resolution No. 647 -- Memorials, Sports - South Greene High School Lady Rebels, TSSAA Class A state champions. by *Southerland.

Senate Joint Resolution No. 648 -- Memorials, Sports - Riverdale High School girls' basketball team, Class AAA State Champions. by *Tracy, *Ketron.

Senate Joint Resolution No. 650 -- Memorials, Death - Thomas R. Bell, Sr. by *Briggs, *Massey, *McNally.

Senate Joint Resolution No. 651 -- Memorials, Academic Achievement - Allison Bohanon, Valedictorian, McEwen High School. by *Roberts.

Senate Joint Resolution No. 652 -- Memorials, Academic Achievement - Kinsley Kivette, Valedictorian, Pleasant View Christian School. by *Roberts.

Senate Joint Resolution No. 653 -- Memorials, Academic Achievement - Brenna Graves, Valedictorian, East Hickman High School. by *Roberts.

Senate Joint Resolution No. 654 -- Memorials, Academic Achievement - Faith Martin, Valedictorian, McEwen High School. by *Roberts.

Senate Joint Resolution No. 655 -- Memorials, Academic Achievement - Kayla Sager, Valedictorian, McEwen High School. by *Roberts.

Senate Joint Resolution No. 656 -- Memorials, Academic Achievement - Rebekah Duke, Valedictorian, Dickson County High School. by *Roberts.

Senate Joint Resolution No. 657 -- Memorials, Academic Achievement - Sarai Patino, Salutatorian, South Haven Christian School. by *Roberts.

Senate Joint Resolution No. 658 -- Memorials, Academic Achievement - Morgan Craig, Salutatorian, Dickson County High School. by *Roberts.

Senate Joint Resolution No. 659 -- Memorials, Academic Achievement - Kaitlyn Nordquist, Salutatorian, Pleasant View Christian School. by *Roberts.

Senate Joint Resolution No. 660 -- Memorials, Academic Achievement - Sarah Galbreath, Salutatorian, East Hickman High School. by *Roberts.

Senate Joint Resolution No. 661 -- Memorials, Professional Achievement - Dometic, Inc., Robertson County Chamber of Commerce Industry of the Year Award. by *Roberts.

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Senate Joint Resolution No. 662 -- Memorials, Academic Achievement - Joshua Moore, Valedictorian, South Haven Christian School. by *Roberts.

Senate Joint Resolution No. 663 -- Memorials, Academic Achievement - Mackinzie Hutchison, Valedictorian, Creek Wood High School. by *Roberts.

Senate Joint Resolution No. 664 -- Memorials, Academic Achievement - Mason Taylor, Salutatorian, Creek Wood High School. by *Roberts.

Senate Joint Resolution No. 665 -- Memorials, Recognition - Billy Povlin, Humphreys County Good Scout Award. by *Roberts.

Senate Joint Resolution No. 666 -- Memorials, Academic Achievement - Jacob Parrish, Valedictorian, McEwen High School. by *Roberts.

Senate Joint Resolution No. 667 -- Memorials, Interns - William Turner Hitchcock. by *Roberts.

Senate Joint Resolution No. 668 -- Memorials, Academic Achievement - Justin Earle Godwin, Salutatorian, Kenwood High School. by *Green.

Senate Joint Resolution No. 669 -- Memorials, Academic Achievement - Jordan Nathaniel Kilts, Valedictorian, Kenwood High School. by *Green.

Senate Joint Resolution No. 670 -- Memorials, Death - Scot Copeland. by *Yarbro.

Senate Joint Resolution No. 671 -- Memorials, Death - Betty Modrall. by *Hensley.

Senate Joint Resolution No. 698 -- Memorials, Professional Achievement - The Fairfield Four. by *Harper.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent,

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Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 96

Representatives present and not voting were: Alexander, Jones -- 2

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1913** -- Taxes, Hotel Motel - As introduced, authorizes the City of Spring Hill to levy a privilege tax upon the privilege of occupancy by a 2/3 vote of its governing body; amount of tax not to exceed 5 percent of the consideration charged by the operator. - Amends TCA Section 67-4-1425. by *Casada. (SB1875 by *Johnson, *Hensley)

Rep. Casada moved that House Bill No. 1913 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1913 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-1425, is amended by adding the following new subsection:

(o) This section shall not apply in any city having a population of not less than twenty-nine thousand thirty (29,030) nor more than twenty-nine thousand forty (29,040), which is located within any county having a population of not less than one hundred eighty-three thousand one hundred (183,100) nor more than one hundred eighty-three thousand two hundred (183,200), or which is located within any county having a population of not less than eighty thousand nine hundred (80,900) nor more than eighty-one thousand (81,000), according to the 2010 federal census or any subsequent federal census; provided, that the city is authorized to levy a privilege tax by ordinance adopted by a two-thirds (2/3) vote of its governing body upon the privilege of occupancy in any hotel located within the city of each transient in an amount not to exceed three percent (3%) of the consideration charged by the operator. The proceeds from such tax shall be deposited in a special revenue fund, separate from the general fund, and used solely for tourism development purposes. The ordinance shall set forth the manner of collection and administration of the privilege tax.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

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Rep. Miller moved the previous question, which motion prevailed.

Rep. Casada moved that **House Bill No. 1913**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	4
Present and not voting.....	4

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulse, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 86

Representatives voting no were: Holt, Lynn, Pody, Spivey -- 4

Representatives present and not voting were: Alexander, Dunlap, Smith, Windle -- 4

A motion to reconsider was tabled.

***House Bill No. 2174** -- Emergency Communications Districts - As introduced, requires the annual report by the board of directors for an emergency communications district on its activities to be submitted by December 1 of each year; expands the recipients of the report from the governor and the speakers of the senate and the house to the governor and each member of the general assembly; requires the annual report to include any suggestions for amendments to the Emergency Communications District Law. - Amends TCA Title 7; Title 9; Title 65 and Title 68. by *Matlock, *Calfee, *Ramsey, *Jernigan. (SB2137 by *McNally, *Bowling, *Gresham)

On motion, House Bill No. 2174 was made to conform with **Senate Bill No. 2137**; the Senate Bill was substituted for the House Bill.

Rep. Matlock moved that Senate Bill No. 2137 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Matlock moved that **Senate Bill No. 2137** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 1477** -- Local Education Agencies - As introduced, requires, beginning with the 2017-2018 school year, each LEA to offer students in each of its high schools the opportunity to take at least six early postsecondary credit courses. - Amends TCA Title 49. by *Brooks H, *Calfee. (SB1653 by *Tracy)

Rep. H. Brooks moved that **House Bill No. 1477** be reset for the Regular Calendar on April 7, 2016, which motion prevailed.

House Bill No. 1641 -- Veterans - As introduced, exempts honorably discharged and retired veterans of the United States armed forces from firing range and classroom training requirements for handgun carry permits upon presenting a DD 214 form indicating a discharge or retirement date within five years of application for the permit. - Amends TCA Title 39, Chapter 17, Part 13. by *Forgety, *Gravitt. (*SB1490 by *Overbey, *Bailey, *Green, *Stevens, *Haile, *Bell, *Gresham, *Norris)

On motion, House Bill No. 1641 was made to conform with **Senate Bill No. 1490**; the Senate Bill was substituted for the House Bill.

Rep. Forgety moved that Senate Bill No. 1490 be passed on third and final consideration.

Rep. Carter moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1490 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (e)(4) and substituting instead the following:

(4) Successfully completed all handgun training of not less than four (4) hours as required by any branch of the military; provided, however, that an applicant who seeks waiver of the training course pursuant to this subdivision

(e)(4) may have completed the military handgun training at any time prior to submission of proof.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Fitzhugh moved the previous question, which motion prevailed.

Rep. Forgety moved that **Senate Bill No. 1490**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 2318** -- Professions and Occupations - As introduced, removes authority of the council for licensing hearing instrument specialists to waive written examination requirements for certain applicants; specifies that the national board for certification of hearing instrument sciences is no longer the accepted examination for licensure. - Amends TCA Title 63, Chapter 17, Part 2. by *Johnson. (SB2391 by *Bell)

On motion, House Bill No. 2318 was made to conform with **Senate Bill No. 2391**; the Senate Bill was substituted for the House Bill.

Rep. Johnson moved that Senate Bill No. 2391 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Johnson moved that **Senate Bill No. 2391** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98

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Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 1764** -- Public Funds and Financing - As introduced, increases from three weeks to 30 days the amount of time required between the date a local government receiving emergency aid submits its annual budget to the comptroller and the date the local government may adopt the budget. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 49; Title 67 and Title 71. by *Johnson. (SB1748 by *McNally)

Rep. Johnson moved that House Bill No. 1764 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1764 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-21-701, is amended by deleting subdivision (2) in its entirety and renumbering the remaining subdivisions accordingly.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Johnson moved that **House Bill No. 1764**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 2301** -- Alcoholic Beverages - As introduced, removes the requirement that in order for a retail food store to obtain a license to sell alcoholic beverages for consumption on premises that the premises and business for on-premises consumption be separate and distinct from the retail food store. - Amends TCA Title 57, Chapter 3, Part 8 and Title 57, Chapter 4. by *Marsh. (SB2113 by *Johnson)

Rep. Marsh moved that **House Bill No. 2301** be reset for the Regular Calendar on April 7, 2016, which motion prevailed.

***House Bill No. 2139** -- Education - As introduced, requires all LEA personnel to verify that the LEA's policy on use of the Internet has been read prior to accepting an employment contract or at the renewal of an employment contract. - Amends TCA Title 49. by *Brooks K. (SB2514 by *Gresham)

Rep. K. Brooks moved that **House Bill No. 2139** be reset for the next available Regular Calendar, which motion prevailed.

House Bill No. 2038 -- Workers Compensation - As introduced, reduces the amount a medical provider may charge an employee for medical reports, medical records, or documents relating to a workers' compensation claim from \$10.00 for the first 20 pages to \$10.00 for the first 30 pages. - Amends TCA Title 50 and Title 56. by *Eldridge, *Pody, *Lynn, *White M, *Hardaway, *Mitchell, *Ramsey, *Casada. (*SB1880 by *Johnson, *Stevens)

On motion, House Bill No. 2038 was made to conform with **Senate Bill No. 1880**; the Senate Bill was substituted for the House Bill.

Rep. Eldridge moved that Senate Bill No. 1880 be passed on third and final consideration.

Rep. Pody moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Eldridge moved that **Senate Bill No. 1880** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 1559** -- Workers Compensation - As introduced, revises various provisions governing payments for permanent partial disabilities; renames the workers' compensation appeals board; revises other provisions of the workers' compensation law. - Amends TCA Title 50, Chapter 6. by *McCormick, *Brooks K, *Eldridge, *Pody, *Lynn, *White M, *Hardaway, *Mitchell, *Ramsey, *Casada. (SB2563 by *Norris, *Johnson)

On motion, House Bill No. 1559 was made to conform with **Senate Bill No. 2563**; the Senate Bill was substituted for the House Bill.

Rep. Eldridge moved that Senate Bill No. 2563 be passed on third and final consideration.

Rep. Pody moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Eldridge moved that **Senate Bill No. 2563** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 1553** -- Safety - As introduced, changes certain requirements for inspectors, redirects certain reports, imposes a \$300 fine for certain violations, and revises other provisions concerning elevators, dumbwaiters, escalators, aerial tramways, amusement devices, and boilers. - Amends TCA Title 68, Chapter 121 and Section 68-122-106. by *McCormick, *Brooks K, *Halford. (SB2557 by *Norris, *Jackson)

On motion, House Bill No. 1553 was made to conform with **Senate Bill No. 2557**; the Senate Bill was substituted for the House Bill.

Rep. Halford moved that **Senate Bill No. 2557** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	4

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

Representatives voting no were: Alexander, Dunlap, Sparks, Windle -- 4

A motion to reconsider was tabled.

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REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 2557** and have this statement entered in the Journal: Rep. Hazlewood.

REGULAR CALENDAR, CONTINUED

House Bill No. 2406 -- Courts, Juvenile - As introduced, authorizes the clerks of special juvenile courts and courts of general sessions having juvenile court jurisdiction to collect \$75.00 from any person whose case is adjudicated in various instances; designates the fees collected from such adjudications to be used exclusively for the creation and maintenance of new juvenile court facilities. - Amends TCA Title 8, Chapter 21; Title 16 and Title 37. by *Sargent. (*SB2120 by *Johnson)

Rep. Sargent moved that House Bill No. 2406 be passed on third and final consideration.

Rep. Carter moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2406 by deleting subsection (a) in SECTION 1 and substituting instead the following:

(a) In any county that has at least four (4) circuit court judges and one (1) juvenile court judge, the clerks of all special juvenile courts and all courts of general sessions having juvenile court jurisdiction may collect the sum of seventy-five dollars (\$75.00) from any person who:

(1) Enters a plea of guilty;

(2) Enters a plea of nolo contendere;

(3) Is adjudicated at trial, or whose case is handled under pretrial diversion or retirement; or

(4) Is found in violation of the terms and conditions of a probationary or valid court order.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Sargent requested that House Bill No. 2406 be moved down 10 spaces on today's Calendar, which motion prevailed.

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***House Bill No. 2238** -- Alcoholic Beverages - As introduced, increases the time alcoholic beverages may be sold at certain theaters from one hour prior to, during, and one hour after the performance to 90 minutes prior to, during, and 90 minutes after the performance. - Amends TCA Title 57, Chapter 4. by *Sargent, *McManus. (SB2104 by *Johnson)

Rep. Sargent moved that **House Bill No. 2238** be reset for the Regular Calendar on April 7, 2016, which motion prevailed.

***House Bill No. 1494** -- Pensions and Retirement Benefits - As introduced, requires forfeiture of retirement benefits of teachers who become members of TCRS or other public pension systems on or after July 1, 2016, if convicted of any misdemeanor sexual offense arising out of the teacher's employment or official capacity. - Amends TCA Title 8 and Title 49. by *Lamberth, *Littleton. (SB1656 by *Tracy, *Gresham)

Rep. Lamberth requested that House Bill No. 1494 be moved down 7 spaces on today's Calendar, which motion prevailed.

***House Bill No. 2240** -- Alcoholic Beverages - As introduced, increases the amount of the fine that may be imposed for the suspension or revocation of a permit to serve alcohol for consumption on premises; authorizes the alcoholic beverage commission to impose a fine and require employee training in lieu of suspending or revoking a license under certain circumstances. - Amends TCA Title 57. by *Lamberth, *Jernigan. (SB2344 by *Dickerson, *Ketron)

Rep. Lamberth moved that House Bill No. 2240 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2240 by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-1-201(b)(1)(A), is amended by deleting the subdivision and substituting instead the following language:

(A) In any case where the commission is given the power to suspend or revoke any license or permit, it may impose a fine. Fines imposed shall:

(i) Not exceed one thousand five hundred dollars (\$1,500) for retailers licensed under § 57-3-204; provided, that the commission may impose a fine in excess of one thousand five hundred dollars (\$1,500) in accordance with § 57-3-406(d)(3);

(ii) Not exceed one thousand five hundred dollars (\$1,500) for permittees authorized to sell alcoholic beverages for consumption on the

premises under § 57-4-201; provided, that the commission may impose a fine in excess of one thousand five hundred dollars (\$1,500) in accordance with § 57-4-203(b)(1)(C);

(iii) Not exceed two thousand dollars (\$2,000) for wholesalers licensed under § 57-3-203; and

(iv) Not exceed ten thousand dollars (\$10,000) for manufacturers licensed under chapter 2 of this title or § 57-3-202.

SECTION 2. Tennessee Code Annotated, Section 57-3-406(d), is amended by adding the following language as a new subdivision (3):

(3) The commission may, upon finding that a licensee has violated subdivision (d)(1) two (2) or more times during any two-year period, and for good cause shown, fine the licensee not more than five thousand dollars (\$5,000) and require retraining of all employees of the licensee under the supervision of the commission in lieu of suspending or revoking the license of the licensee.

SECTION 3. Tennessee Code Annotated, Section 57-4-203(b)(1), is amended by adding the following language as a new subdivision (C):

(C) The commission may, upon finding that a licensee has violated subdivision (b)(1) two (2) or more times during any two-year period, and for good cause shown, fine the licensee not more than five thousand dollars (\$5,000) and require retraining of all employees of the licensee under the supervision of the commission in lieu of suspending or revoking the license of the licensee.

SECTION 4. Tennessee Code Annotated, Section 57-3-606, is amended by adding the following language at the end of the section:

Notwithstanding § 57-1-201(b)(1)(A), no administrative action, including the imposition of any fine, may be brought against a wholesaler under this section unless, prior to bringing the action, the commission has provided written notice to the wholesaler advising the wholesaler that the supplier's nonresident seller's permit has been revoked, suspended, or not renewed.

SECTION 5. Tennessee Code Annotated, Section 57-1-201(b)(1), is amended by adding the following language as a new subdivision (C):

(C) Notwithstanding subdivision (b)(1)(A), no administrative action, including the imposition of a fine, may be brought against a wholesaler for a violation of § 57-3-301(d) unless, prior to bringing the action, the commissioner of revenue has provided written notice to the wholesaler advising the wholesaler that the tax for a brand of liquor has not been paid by a supplier.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

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On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Lamberth moved that **House Bill No. 2240**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	10
Present and not voting.....	6

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, McDaniel, McManus, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Swann, Terry, Todd, Towns, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 76

Representatives voting no were: Byrd, DeBerry, Dunlap, Holt, Matlock, Miller, Parkinson, Spivey, Stewart, Turner -- 10

Representatives present and not voting were: Butt, Cooper, Doss, Durham, McCormick, Travis -- 6

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2240** and have this statement entered in the Journal: Rep. Lynn.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **House Bill No. 2240** and have this statement entered in the Journal: Rep. Powers.

REGULAR CALENDAR, CONTINUED

House Bill No. 1940 -- Human Services, Dept. of - As introduced, changes the department's sunset date from June 30, 2018, to June 30, 2017; transfers the management and operations of financial accounting and reporting from the department to the department of finance and administration; revises other various provisions relating to the operation of the

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department. - Amends TCA Title 4; Title 8; Title 9 and Title 39, Chapter 16. by *Wirgau, *Howell, *Jenkins, *Sparks, *Eldridge, *Reedy, *Calfee, *Doss, *VanHuss, *Keisling, *Casada, *Rogers, *Weaver, *Daniel, *Holsclaw, *Travis. (*SB1472 by *Tracy, *McNally, *Bell, *Gresham, *Crowe, *Bowling, *Bailey)

On motion, House Bill No. 1940 was made to conform with **Senate Bill No. 1472**; the Senate Bill was substituted for the House Bill.

Rep. Wirgau moved that Senate Bill No. 1472 be passed on third and final consideration.

Rep. Faison moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Wirgau moved that **Senate Bill No. 1472** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 1472** and have this statement entered in the Journal: Rep. J. Sexton.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Favors

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REGULAR CALENDAR, CONTINUED

***House Bill No. 2176** -- Forfeiture of Assets - As introduced, requires the chief officer of each applicable agency to file an annual report with the TBI indicating the number of seizures in the preceding year, how many resulted in forfeiture warrants or settlement agreements, and the total revenue derived from sale of forfeited property; requires TBI to submit an aggregate report to the members of the general assembly by January 31. - Amends TCA Title 38 and Title 40. by *Hill T, *Lamberth, *Weaver, *Farmer, *VanHuss, *Parkinson, *Goins, *Stewart, *Butt. (SB2144 by *Green, *Niceley)

Rep. T. Hill moved that House Bill No. 2176 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2176 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 33, Part 2, is amended by adding the following as a new, appropriately designated section:

By March 1 of each year, the department of safety shall report to the speakers of the senate and the house of representatives and the chairs of the judiciary committee of the senate, civil justice committee of the house of representatives, and criminal justice committee of the house of representatives, a report detailing, for the previous calendar year:

- (1) The total number of seizure cases opened by the department;
- (2) The number of seizure cases where an arrest was made;
- (3) The total number of cases resulting in forfeiture;
- (4) The types of property seized under this part and the totals of each type;
- (5) The amount of currency seized; and
- (6) The amount of currency forfeited.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Todd moved the previous question, which motion prevailed.

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Rep. T. Hill moved that **House Bill No. 2176**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2176** and have this statement entered in the Journal: Rep. Van Huss.

REGULAR CALENDAR, CONTINUED

House Bill No. 1702 -- State Government - As introduced, establishes February 1 as annual date by which commerce and labor committee of the senate, insurance and banking committee of the house, and finance, ways and means committees of both houses must review the Access Tennessee and CoverKids programs; establishes February 1 as annual date by which the office of legislative budget analysis and comptroller must provide comments on the higher education funding formula to the chairs of the education and finance, ways and means committees of both houses. - Amends TCA Title 3; Title 4; Title 8; Title 9; Title 12; Title 16; Title 17; Title 23; Title 29; Title 33; Title 37; Title 49; Title 50; Title 54; Title 55; Title 56; Title 64; Title 65; Title 67; Title 68 and Title 71. by *Dunn. (*SB1471 by *Dickerson)

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On motion, House Bill No. 1702 was made to conform with **Senate Bill No. 1471**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 1471 be passed on third and final consideration.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Dunn moved that **Senate Bill No. 1471** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes.....	15
Present and not voting.....	7

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 73

Representatives voting no were: Clemmons, DeBerry, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Miller, Mitchell, Powell, Shaw, Shepard, Stewart, Turner, Windle -- 15

Representatives present and not voting were: Akbari, Armstrong, Beck, Camper, Cooper, Dunlap, Parkinson -- 7

A motion to reconsider was tabled.

House Bill No. 1701 -- Criminal Offenses - As introduced, imposes a Class A misdemeanor for all supervisors and employees who make false statements related to an audit conducted by or on behalf of the comptroller of the treasury. - Amends TCA Title 39, Chapter 16, Part 4. by *Dunn. (*SB1649 by *Tracy, *Gresham)

On motion, House Bill No. 1701 was made to conform with **Senate Bill No. 1649**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 1649 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1649 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 4, is amended by adding the following language as a new section:

(a) It is an offense for a supervisor to intentionally:

(1) Instruct, direct, or encourage an employee to make a false statement, entry, notation, or report during or in relation to an audit;

(2) Alter, destroy, or conceal information, documentation, or material having evidentiary value to an audit; or

(3) Interfere with, impede, obstruct, or limit access to any information, documentation, or communication that is requested during or in relation to an audit.

(b) It is an offense for an employee to intentionally interfere with, impede, or obstruct any information, documentation, or communication that is requested during or in relation to the audit if that employee, based on experience, training, and longevity, knew or should have known what information, documentation, or communication was being requested.

(c) A violation of subsection (a) or (b) is a Class A misdemeanor.

(d) Charges for a violation of subsection (a) or (b) may be brought only by indictment, presentment, or criminal information; provided, that nothing in this section shall deny a person from pursuing other criminal charges by affidavit of complaint.

(e) As used in this section, unless the context otherwise requires:

(1) "Audit" means any audit or investigation conducted by or on behalf of the comptroller of the treasury;

(2) "Employee" means an individual who works under a supervisor and who receives compensation from the state;

(3) "Limit access" means any time a supervisor requires the presence of a supervisor before:

(A) Allowing information to be reviewed during the audit process; or

(B) Allowing communication between employees and auditors or investigators of the comptroller of the treasury; and

(4) "Supervisor" means an employee of the state who manages, supervises, directs, or controls the employment status, work, or responsibility of any employee. "Supervisor" includes, but is not limited to, any commissioner, executive director, or staff director.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Dunn moved that **Senate Bill No. 1649**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

***House Bill No. 1478** -- Sentencing - As introduced, punishes sixth offense DUI as a Class C felony; defines "prior convictions" for purposes of enhancing a DUI sentence; removes Class E felony designation for third or subsequent conviction for simple possession or casual exchange of a controlled substance; removes mandatory 24-hour litter removal requirement for first DUI offenders. - Amends TCA Title 39; Title 40 and Title 55. by *Lamberth, *Farmer,

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*Holsclaw, *Parkinson, *Butt, *Goins, *Hulsey, *Weaver, *Kumar, *Akbari, *Love, *Marsh, *Sanderson, *Rogers, *Hardaway, *DeBerry. (SB1572 by *McNally, *Bowling)

Further consideration of House Bill No. 1478, previously considered on March 10, 2016 and March 17, 2016, at which time the House adopted Amendment No. 6, withdrew Amendments Nos. 1, 2 and 4, tabled Amendments Nos. 3 and 5, and it was reset for today's Calendar.

Rep. Lamberth moved that **House Bill No. 1478**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes.....	7
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Hulsey, Jenkins, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Todd, Turner, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 80

Representatives voting no were: Durham, Hill M., Hill T., Holt, Spivey, Van Huss, Windle -- 7

Representatives present and not voting were: Jernigan, Powers -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **House Bill No. 1478** and have this statement entered in the Journal: Rep. Keisling.

REGULAR CALENDAR, CONTINUED

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***House Bill No. 1494** -- Pensions and Retirement Benefits - As introduced, requires forfeiture of retirement benefits of teachers who become members of TCRS or other public pension systems on or after July 1, 2016, if convicted of any misdemeanor sexual offense arising out of the teacher's employment or official capacity. - Amends TCA Title 8 and Title 49. by *Lamberth, *Littleton. (SB1656 by *Tracy, *Gresham)

Further consideration of House Bill No. 1494, previously considered on today's Calendar.

On motion, House Bill No. 1494 was made to conform with **Senate Bill No. 1656**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 1656 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved adoption of House Amendment No. 2.

Rep. Fitzhugh withdrew the motion to adopt House Amendment No. 2, which motion prevailed.

Rep. Ramsey moved the House reconsider its action in withdrawing State Government Committee Amendment No. 1, which motion prevailed.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1656 by deleting subdivision (2) from the amendatory language of SECTION 1 and substituting instead the following:

(2) Notwithstanding § 8-35-124 or any other law to the contrary, a teacher who is convicted in any state or federal court of a misdemeanor sexual offense, other than indecent exposure under § 39-13-511 or public indecency under § 39-13-517, arising out of that teacher's employment or official capacity shall forfeit that teacher's retirement benefits under any plan within the Tennessee consolidated retirement system, any superseded retirement system, any local retirement fund, or any other public pension system.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Fitzhugh moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1656 by deleting the language "teacher" and "teacher's" wherever it appears in SECTIONS 1 through 4 and substituting instead the language "teacher or member of the general assembly" and "teacher's or member's" respectively.

AND FURTHER AMEND by deleting the language "teachers" in the second sentence of the amendatory language of SECTION 5(f) and substituting instead the language "teachers and members of the general assembly".

AND FURTHER AMEND by adding the following new section immediately preceding the last section and renumbering the remaining section accordingly:

SECTION _____. Tennessee Code Annotated, Section 8-36-918(a), is further amended by adding the following as a new subdivision:

(3) Notwithstanding § 8-35-124 or any other law to the contrary, each time a person is elected to office as a member of the general assembly, the person shall, as a condition of the election, be deemed to consent and agree to the forfeiture of the person's retirement benefits from the Tennessee consolidated retirement system, any superseded retirement system, or any other public pension system, if the person is convicted in any state or federal court of a misdemeanor sexual offense as provided in subdivision (a)(2). Notwithstanding subsection (f) or any other law to the contrary, this subdivision (a)(3) shall apply regardless of the date the person became a member of the public pension system, the person having consented to this subdivision (a)(3) as a condition of the election.

Rep. Lollar moved the previous question on House Amendment No. 2 , which motion prevailed.

On motion, House Amendment No. 2 was adopted.

Rep. Lamberth moved that **Senate Bill No. 1656** be reset for the Regular Calendar on April 7, 2016, which motion prevailed.

House Bill No. 1920 -- Pensions and Retirement Benefits - As introduced, revises various provisions governing TCRS including clarifying that the transfer of funds from the stabilization reserve trust account is not a maximum unfunded liability cost and revising provisions concerning TCRS investments. - Amends TCA Section 3-9-103; Title 8, Chapter 25; Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37 and Section 26-2-105. by *Sargent, *Sanderson. (*SB1869 by *McNally, *Gardenhire, *Watson)

Further consideration of House Bill No. 1920, previously considered on March 3, 2016, March 10, 2016 and March 17, 2016, at which time it was reset for today's Calendar.

On motion, House Bill No. 1920 was made to conform with **Senate Bill No. 1869**; the Senate Bill was substituted for the House Bill.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Rep. Sargent moved that Senate Bill No. 1869 be passed on third and final consideration.

Rep. Alexander moved that Pensions and Insurance Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Alexander moved that Pensions and Insurance Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1869 by inserting the following new section immediately preceding the severability clause section and renumbering the subsequent sections accordingly:

SECTION __. Tennessee Code Annotated, Title 8, Chapter 35, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Any member who is employed by a political subdivision that is a participating employer in the retirement system shall be eligible to establish retirement credit for time during which the member was employed by a joint venture between that political subdivision and one (1) or more other political subdivisions if the following conditions are met:

(1) The joint venture was a governmental entity for purposes of Section 414(d) of the Internal Revenue Code (26 U.S.C. § 414(d)), as amended, and any other federal laws and regulations applicable to qualified governmental pension plans during the time the member was employed by the joint venture;

(2) The joint venture was dissolved and its operations were transferred to and made a department of the participating political subdivision;

(3) The member has not established the credit in any other retirement program as provided in § 8-35-111;

(4) The participating political subdivision authorizes and pays for the cost of an actuarial study to determine the liability associated with the granting of the service credit and, following review of the cost of granting the service credit, the chief governing body of the political subdivision shall pass a resolution authorizing such service credit and accepting the liability therefor; and

(5) Members establishing the prior service must make a lump sum payment equal to the employee contributions the members would

have made had the members been members of the retirement system during the period claimed, plus interest at the rate provided in § 8-37-214. The political subdivision may, at its option, pay all or part of the employee contributions and interest on behalf of the members.

(b) The retirement system shall not be liable for the payment of retirement allowances or other payments on account of such members or their beneficiaries for which reserves have not been previously created from funds contributed by the political subdivision, its employees, or both.

(c) It is the legislative intent that the state shall realize no increased cost as a result of this section. All costs associated with retirement coverage, including administrative costs, shall be the responsibility of the political subdivision.

On motion, House Amendment No. 3 was adopted.

Rep. Sargent moved that **Senate Bill No. 1869**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes.....	11
Present and not voting.....	2

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 78

Representatives voting no were: Armstrong, Clemmons, Dunlap, Hardaway, Jernigan, Jones, Mitchell, Parkinson, Stewart, Turner, Windle -- 11

Representatives present and not voting were: Gilmore, Powell -- 2

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Shaw

REGULAR CALENDAR, CONTINUED

House Bill No. 2406 -- Courts, Juvenile - As introduced, authorizes the clerks of special juvenile courts and courts of general sessions having juvenile court jurisdiction to collect \$75.00 from any person whose case is adjudicated in various instances; designates the fees collected from such adjudications to be used exclusively for the creation and maintenance of new juvenile court facilities. - Amends TCA Title 8, Chapter 21; Title 16 and Title 37. by *Sargent. (*SB2120 by *Johnson)

Further consideration of House Bill No. 2406, previously considered on today's Calendar, at which time the House adopted Amendment No. 1.

Rep. Sargent moved that House Bill No. 2406 be passed on third and final consideration.

Rep. Sargent moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2406 by deleting subsection (a) in SECTION 1 and substituting instead the following:

(a) In any county that has four (4) circuit court judges and one (1) juvenile court judge, the clerks of all special juvenile courts and all courts of general sessions having juvenile court jurisdiction may collect the sum of seventy-five dollars (\$75.00) from any person who:

(1) Enters a plea of guilty;

(2) Enters a plea of nolo contendere;

(3) Is adjudicated at trial, or whose case is handled under pretrial diversion or retirement; or

(4) Is found in violation of the terms and conditions of a probationary or valid court order.

On motion, House Amendment No. 2 was adopted.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Sargent moved that **House Bill No. 2406**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 68
Noes..... 20

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Present and not voting..... 1

Representatives voting aye were: Beck, Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Doss, Durham, Eldridge, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 68

Representatives voting no were: Armstrong, Byrd, Clemmons, Daniel, DeBerry, Dunlap, Dunn, Hardaway, Holt, Miller, Mitchell, Parkinson, Pody, Powell, Smith, Sparks, Spivey, Stewart, Turner, Windle -- 20

Representatives present and not voting were: Alexander -- 1

A motion to reconsider was tabled.

***House Bill No. 2573** -- Education, Higher - As introduced, enacts the "Higher Education Authorization Act." - Amends TCA Title 49. by *McCormick, *Brooks K, *Lynn, *Smith, *Casada. (SB2564 by *Norris, *Bell)

Further consideration of House Bill No. 2573, previously considered on March 28, 2016, at which time it was reset for today's Calendar.

Rep. Lynn moved that House Bill No. 2573 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2573 by adding the following as a new subsection (q) in SECTION 3 of the bill:

(q)

(1) Any person aggrieved by a decision of the commission respecting denial of an optional expedited authorization to operate shall have the right to a hearing and review of the decision by the commission as provided in this subsection (q).

(2) If, upon written notification of any such action taken by the commission, the aggrieved party desires a hearing and review, the party shall notify the commission, in writing, within ten (10) days after the giving of notice of the action, otherwise the action shall be deemed final.

(3) Upon receiving notice from the aggrieved party, the commission shall fix the time and place for a hearing, and shall notify the aggrieved party of the time and place of the hearing.

(4) At the hearing, the party may employ counsel, shall have the right to hear the evidence upon which the action is based and present evidence in opposition or in extenuation. Any member of the commission may preside except when a clear conflict of interest may be demonstrated.

(5) A decision of the commission following a hearing, or the failure of a party to give written notice of the desire for a hearing and review within ten (10) days, shall be deemed final and subject to the right of judicial review provided in § 49-7-2012. All matters presented by hearing as provided in this subsection (q) shall be acted upon promptly by the commission. The commission shall notify all parties in writing of its

decision, which shall include a statement of findings and conclusions upon all material issues of fact, law or discretion presented at the hearing and the appropriate rule, order, sanction, relief, or denial thereof.

AND FURTHER AMEND by adding the following language as a new subdivision (c)(5) in SECTION 3:

(5) If applicable, documentation evidencing all requisite program approvals from other state licensing boards or commissions.

AND FURTHER AMEND by deleting subdivision (h)(2)(B) of SECTION 3 and substituting instead the following language:

(B) Notice of legal action involving the institution, or its parent entity if applicable, and Tennessee students, related to the delivery of educational programming or student or consumer practices, including class action lawsuits;

AND FURTHER AMEND by deleting subdivision (h)(5)(B) in SECTION 3 and substituting instead the following language:

(B) Job placement data;

AND FURTHER AMEND by deleting subdivision (h)(5)(A) of SECTION 3 and substituting instead the following language:

(A) Graduation rates and student-level data on enrollment and credential attainment;

AND FURTHER AMEND by adding the following language as a new subdivision (h)(5)(F) in SECTION 3:

(F) A comprehensive list of all programs offered at the institution.

AND FURTHER AMEND by deleting the first sentence in SECTION 10(b) and substituting instead the following language:

The commission may require as part of the application for initial authorization of a postsecondary educational institution criminal background checks for all owners and directors of institutions not accredited by an accrediting agency recognized by the United States department of education.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2573 by deleting the amendatory language in SECTION 5 and substituting instead the following:

The Tennessee higher education commission is directed to promulgate rules to effectuate the purposes of this part. During the rulemaking process, the Tennessee higher education commission shall seek input from institutions subject to the commission's oversight. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

AND FURTHER AMEND by deleting SECTION 17 of the printed bill in its entirety and substituting instead the following:

SECTION 17. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on October 1, 2016, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 2 was adopted.

Rep. Kumar moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Lynn moved that **House Bill No. 2573**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 81
Noes..... 9

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Farmer, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody,

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Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 81

Representatives voting no were: Akbari, Armstrong, Camper, Clemmons, Dunlap, Hardaway, Mitchell, Stewart, Turner -- 9

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Kane

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 2447** to be heard in the Finance, Ways & Means Subcommittee next week, which motion prevailed.

NOTICE TO ACT ON SENATE MESSAGE

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 4, 2016:

House Bill No. 2037: by Rep. Faison

House Bill No. 2095: by Rep. Hardaway

House Bill No. 1276: by Rep. Durham

NOTICE TO ACT ON SENATE MESSAGE

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 6, 2016:

House Bill No. 1472: by Rep. Lamberth

House Bill No. 1556: by Rep. McCormick

House Bill No. 1679: by Rep. Lamberth

House Bill No. 1888: by Rep. Keisling

NOTICE TO ACT ON SENATE MESSAGE

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 4, 2016:

House Bill No. 458: by Rep. Goins

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 584 Rep. K. Brooks as First prime sponsor.

House Bill No. 634 Rep. C. Sexton as First prime sponsor.

House Bill No. 873 Reps. Gilmore and Favors as prime sponsors.

House Bill No. 929 Rep. C. Sexton as prime sponsor.

House Bill No. 1410 Reps. Windle, Forgety and Mitchell as prime sponsors.

House Bill No. 1477 Rep. Hardaway as prime sponsor.

House Bill No. 1632 Rep. Durham as prime sponsor.

House Bill No. 1828 Rep. Van Huss as prime sponsor.

House Bill No. 1830 Reps. C. Sexton and Travis as prime sponsors.

House Bill No. 1840 Rep. C. Sexton as prime sponsor.

House Bill No. 2026 Reps. Favors and Gilmore as prime sponsors.

House Bill No. 2088 Rep. C. Sexton as prime sponsor.

House Bill No. 2125 Rep. Womick as prime sponsor.

House Bill No. 2139 Rep. Hardaway as prime sponsor.

House Bill No. 2248 Reps. K. Brooks, Sargent and McDaniel as prime sponsors.

House Bill No. 2307 Rep. Carter as First prime sponsor.

House Bill No. 2473 Rep. C. Sexton as prime sponsor.

House Bill No. 2644 Rep. C. Sexton as prime sponsor.

SPONSORS REMOVED

On Motion, Rep. Coley was removed as sponsor of **House Bill No. 584**.

On Motion, Rep. Sanderson was removed as sponsor of **House Bill No. 634**.

REPORT OF CHIEF ENGROSSING CLERK

March 31, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 829, 1791, 2082, 2620, 2628, 2634, 2635 and 2640; also House Joint Resolutions Nos. 679, 681, 682, 683, 684, 685, 687, 689, 690, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706 and 707; for his action.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

March 31, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1763, 1980, 2075 and 2504; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 31, 2016

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1094, 1438, 1495, 1496, 1506, 1552, 1642, 1696, 1722, 1734 and 1747; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE GOVERNOR

March 31, 2016

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 1469, 1680, 1755, 1858, 2052, 2148 and 2334; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

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**SIGNED
March 31, 2016**

The Speaker announced that she had signed the following: Senate Bills Nos. 1763, 1980, 2075 and 2504.

JOE MCCORD, Chief Clerk

**MESSAGE FROM THE SENATE
March 31, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1657, 2068, 2625, 2636 and 2642; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 31, 2016**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 708, 709, 710, 711, 715, 716 and 759; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 31, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626 and 627; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 31, 2016**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626 and 627.

JOE MCCORD, Chief Clerk

**SIGNED
March 31, 2016**

3385

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THURSDAY, MARCH 31, 2016 – FIFTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION

The Speaker announced that she had signed the following: House Bills Nos. 1931 and 2647.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 31, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 851, 2374, 2427, 2447, 2450, 2485, 2488, 2499, 2581, 2584, 2586 and 2588; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 851** -- Hospitals and Health Care Facilities - As introduced, requires accountable care organizations to establish a clinical laboratory testing advisory board. - Amends TCA Title 56 and Title 68, Chapter 29. by *Overbey. (HB1100 by *Hill T)

Senate Bill No. 2374 -- Barbers - As introduced, revises the provisions governing the licensure and certification for barbers and cosmetologists. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by *Bell. (*HB2373 by *Parkinson, *Powell)

Senate Bill No. 2427 -- State Government - As introduced, creates a task force to study the feasibility of state government utilizing an open data policy. - Amends TCA Title 4; Title 10 and Title 12. by *Yarbro. (*HB2215 by *Powell)

Senate Bill No. 2447 -- Education, Higher - As introduced, clarifies that, after a change in ownership of a postsecondary proprietary institution, the new owner has 10 business days instead of 10 days to apply to THEC for authorization to operate. - Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by *Johnson. (*HB2409 by *Casada)

Senate Bill No. 2450 -- Labor and Workforce Development, Dept. of - As introduced, requires any report issued by the economic council on women on the wage disparities between men and women, and minorities and nonminorities, in the same job classifications to be transmitted by the commissioner to the governor, to the speakers of both houses of the general assembly, to each member of the general assembly, and to each library designated as a depository of state reports and documents. - Amends TCA Title 4; Title 7; Title 12; Title 45; Title 47; Title 50; Title 56; Title 62; Title 65; Title 66; Title 67 and Title 68. by *Harris, *Briggs, *Dickerson, *Overbey, *Bowling, *Yarbro. (*HB2212 by *Powell, *Miller, *Hardaway, *Gilmore, *Jernigan, *Clemmons, *Swann, *Calfee, *Cooper)

THURSDAY, MARCH 31, 2016 – FIFTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 2485 -- State Employees - As introduced, extends from 30 days to 45 days the period by which the appointing authority of a state agency is required to appoint an applicant to fill a vacant position after being referred a list of eligible candidates by the commissioner of human resources. - Amends TCA Title 8, Chapter 30 and Title 49. by *Massey. (*HB2269 by *Dunn, *Littleton)

Senate Bill No. 2488 -- Cemeteries - As introduced, creates a nine-member task force to make recommendations for statutory changes concerning funding for community exempt cemeteries; task force will make a report and cease to exist by January 1, 2017. - Amends TCA Title 46. by *Massey. (*HB2268 by *Dunn)

Senate Bill No. 2499 -- Education, Dept. of - As introduced, requires the department to notify electronically each LEA when the office of research and education accountability publishes a report pertaining to pre-K-12 education in order that the LEAs may disseminate the report to licensed personnel. - Amends TCA Title 49. by *Gresham. (*HB2009 by *Butt)

Senate Bill No. 2581 -- Hospitals and Health Care Facilities - As introduced, requires the board for licensing health care facilities to report to the chair of the health and welfare committee of the senate and the chair of the health committee of the house on or before January 15, 2017, concerning the need for central service technicians to be regulated in order to provide certified sterile processing in hospitals and related institutions. - Amends TCA Title 68. by *Norris. (*HB2332 by *Sexton C)

Senate Bill No. 2584 -- Juvenile Offenders - As introduced, requires the department of children's services to report annually to the governor and speakers of the house and senate; report to include an evaluation of the effectiveness of juvenile court probation departments; requires community service agencies and other private probation services to develop a strategic plan for improving outcome of juveniles under supervision. - Amends TCA Title 37. by *Norris, *Ketron. (*HB2493 by *Akbari, *Cooper)

Senate Bill No. 2586 -- Children - As introduced, enacts the "Juvenile Justice Realignment Act"; creates a task force to study the creation of a department of juvenile justice. - Amends TCA Title 4; Title 8 and Title 37. by *Norris, *Overbey. (*HB1960 by *Camper)

Senate Bill No. 2588 -- Abuse - As introduced, requires each district attorney general to establish an adult protective investigative team for the purpose of coordinating investigations and responses to suspected instances of abuse, neglect, or exploitation of adults. - Amends TCA Title 71, Chapter 6. by *Norris. (*HB1936 by *Keisling)

**MESSAGE FROM THE GOVERNOR
March 31, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 679, 681, 682, 683, 684, 685, 687, 689, 690, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706 and 707; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

ENROLLED BILLS

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**THURSDAY, MARCH 31, 2016 – FIFTY-FOURTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

March 31, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 235, 236, 237, 238 and 239; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 31, 2016**

The Speaker announced that she had signed the following: House Resolutions Nos. 235, 236, 237, 238 and 239.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
March 31, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 1478, 1764, 1913, 2176, 2240, 2406 and 2573; also House Joint Resolutions Nos. 755, 756, 757, 760, 761, 762, 763, 765, 766 and 767.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 31, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1657, 2068, 2625, 2636 and 2642; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 31, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 708, 709, 710, 711, 715, 716 and 759; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 31, 2016**

3388

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**THURSDAY, MARCH 31, 2016 – FIFTY-FOURTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 708, 709, 710, 711, 715, 716 and 759.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 31, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2045; The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators: Southerland, Bailey and Niceley to confer with a like committee from the House in open conference to resolve the differences between the bodies on House Bill No. 2045

RUSSELL A. HUMPHREY, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

RECESS

On motion of Rep. McCormick, the House stood in recess until 4:00 p.m., Monday, April 4, 2016.